

RECEIVED

NOV 20 1975

WATER RIGHTS

PROVO RIVER DISTRIBUTION SYSTEM

MINUTES OF THE ANNUAL MEETING OF BOARD OF DIRECTORS

January 9, 1975

Pursuant to the Articles of Association, as amended by the Provo River Distribution System, and due notice having been given to all members, the Board of Directors of the Provo River Distribution System convened at 2:00 P.M. on January 9, 1975, at the U. S. Bureau of Reclamation offices, 160 North 200 West.

Chairman Niels Anderson presided.

On roll call, the following Board members were present:

J. Edwin Ure, Vice Chairman	Group 1	Kanab Valley Canals
Irvin O. Bowden	" 3	Upper Provo, West Heber Valley
Dean Wheaden	" 4	Provo City Canals
Stanley H. Roberts	" 5	East Provo Canals
Niels Anderson, Chairman	" 6	Provo Bench Canals
John W. Gillman	" 7	Provo Reservoir Water Users Co.
Jack M. Gardner, Secy-Treas.	" 9	Upper Provo Individual Rights

Absent:

Sherman A. Giles	" 2	Upper Provo, East Heber Valley
------------------	-----	--------------------------------

Also present were:

Stanley Roberts, Jr.	Provo River Commissioner
Hugh A. McKellar	Provo River Water Users Assn.
Lynn Gottfredson	Candidate for commissioner
Bert Fisher	Candidate for commissioner

CORRECTION AND ADOPTION OF MINUTES OF ANNUAL MEETING HELD JANUARY 8, 1974:

At the request of the Chairman, Secretary Gardner read the minutes of the annual meeting, held January 8, 1974; there being no corrections, Director Ure moved that the minutes be approved, seconded by Director Roberts and carried unanimously.

PROVO CITY CANALS, GROUP 5, APPOINTS NEW DIRECTOR TO BOARD:

Chairman Anderson noted that Director Bert Fisher, representing Provo City, was being replaced by Dean Wheaden.

ELECTION OF OFFICERS FOR 1975:

Chairman Anderson advised that the next order of business was to nominate and elect officers for the ensuing year.

-2-

After due discussion, John Gillman made the motion that nominations be made by open nomination and that the voting for election of officers be by ballot. The motion was seconded by Dean Wheaden, and carried.

By majority vote, the officers were elected to serve the following one year term of office as follows:

J. Edwin Ure--Chairman
Niels Anderson--Vice Chairman
Jack M. Gardner--Secretary-Treasurer

Chairman Ure then took over the meeting.

1974 FINANCIAL STATEMENT AND DELIQUENT ACCOUNTS:

At the request of Chairman Ure, Secretary Gardner presented the last year's Financial Statement of the River System's operation, noting that the assessment was set at \$19,000 and there were receipts from assessments of \$19,044.22 and receipt of delinquent accounts of \$35.81 or total receipts of \$19,080.03. The expenditures during the year were \$18,927.63 and that the Distribution Trust Fund as of December 31, 1974, had a balance of \$6,797.23 and that \$21,000.00 had been budgeted as against the actual expenditure of \$18,927.63.

Delinquent assessments were noted in the amount of \$200.65. That \$177.65 of this total amount was under five accounts and delinquent three years or more.

After due discussion Director John Gillman moved that the Financial Report be approved, seconded by Stanley Roberts and carried unanimously.

COMMISSIONER'S REPORT ON 1974 OPERATION:

Commissioner Roberts advised that the annual reports for the years 1972, 1973 and 1974 were completed and submitted these reports to the Board.

Commissioner Roberts reported that on the Upper Provo the winter of 1973-74 was about average according to the snowpack.

The reservoirs at the "Head of the River" all filled, as did Deer Creek Reservoir. Repair work was done on Lost Lake Reservoir Measuring device and leakage.

The spring and summer months were on the dry side, with very little moisture.

According to some statisticians, 1974 was the driest summer, precipitation wise, since 1934.

The water users got by very well until the middle of July. The remainder of the irrigation season was on the short end, as far as irrigation was concerned.

-3-

It takes storms periodically throughout the summer to hold the river up. Without the storms, the river did not hold up.

Heber and Kamas Valleys received 100% of First Class Rights until July 10, 74% through the remainder of July, 62% through August, and 66% through September.

That on the Lower Provo the year 1974 started out good moisture wise but did not stay that way very long. The irrigation season was slow in starting due to late snows and rains. The reservoirs at the head of Provo River filled and Deer Creek Reservoir was delared full May 12.

Spring runoff was not excessive and without any additional rains the riverflow decreased rapidly. Storage was withdrawn from Deer Creek beginning July 1. Some secondary rights were met in July but only Class A rights thereafter. In fact Class A rights went to 80% August 28 and remained until the end of irrigation season.

Under the direction of Utah County a considerable amount of logs and debris were removed from the river channel in the Provo Division.

CHANNEL LOSS ON LOWER PROVO RIVER:

Commissioner Roberts presented some figures indicating channel losses on the lower Provo and further stated that this loss was to be absorbed by the Deer Creek Project and further requested that funds be budgeted for him to make further investigation into this matter to prove his point.

Director Gardner protested the findings as being totally inconclusive and that it was prepared by a bias individual whose responsibility was the distribution of water on the Provo River in accordance with the Provo River Decree and other water rights and not one that was to make investigation into such a matter to the detriment of a major user of water on the Provo River. Mr. Gardner further stated that if such a study was made which was beyond the scope of the water commissioner that it should be made by a disinterested third party. Further that the Provo River Water Users Association would not contribute funds to such a study to be made by the Provo River Commissioner. That actually from his observation of the Provo River that the Lower Provo River was a gaining river and not a losing river to the mouth of Provo Canyon and in fact the method of figuring the natural flow would pro rate losses even if any did exist.

SOUTH FORK & VIVIAN PARK GAUGE INSTALLATION:

Mr. McKellar advised that the Provo River Water Users Association had rebuilt the gauge house in Vivian Park. That it has since been damaged by vandalism, that the gauge has never been installed by Provo City. It was further noted that the gauge in

South Fork has not yet been installed. Commissioner Roberts advised that no access road had been available to the proposed location of the gauge. That a road has recently been constructed to make the site available and the gauge will be installed.

NOMINATION OF ANNUAL COMMISSIONER & DEPUTY COMMISSIONER:

Chairman Ure noted that the Board must again nominate and elect a commissioner as its choice to recommend for appointment by the State Engineer.

It was noted that two applicants had applied for the position of commissioner of the Provo River and were present for interview. The applications were reviewed and the applicant separately interviewed. After due discussion a ballot vote was taken and Stanley Roberts, Jr. was recommended for appointment by a 7 to 1 vote as Provo River Commissioner for the yearly term beginning April, 1, 1975.

Commissioner Roberts then recommended to the Board Sherman Giles as Deputy Commissioner.

WHEREUPON, Director Bowden then moved adoption of the following resolutions:

RESOLVED That Deputy Commissioner Giles be recommended for appointment as Deputy Commissioner for the year 1975. The motion was seconded and adopted unanimously.

BUDGET AND ASSESSMENT 1975:

Chairman Ure called for a discussion of the budget and assessment for the following year. Secretary Gardner advised that he had worked up a tentative budget for presentation to the Board. Chairman Ure then asked Secretary Gardner to present the budget.

The first items of the budget, the salaries of the Commissioner and Deputy Commissioner, were brought before the board and after due discussion the following resolutions were adopted unanimously.

RESOLVED That the Commissioner's salary be increased from \$7,035.00 to \$7,800.00 per year.

RESOLVED That the Deputy Commissioner's salary be increased from \$6,300.00 per year to \$6,900.00 per year. The motion was seconded by Director Bowden and adopted unanimously.

Chairman Ure noted that items 8-A and 8-B reimbursed the Commissioner and Deputy Commissioner for telephone expenses. That these calls were charged to their personal telephone billings and recommended to the Board that credit cards in the name of the Provo River Distribution System be provided.

After due discussion and upon motion duly made, seconded and carried, secretary Gardner was instructed to contact the telephone company and have four credit cards issued in the name of the Distribution System and the credit cards distributed to the chairman, secretary, Commissioner and Deputy Commissioner.

Other items of the budget were discussed and the item of \$500.00 for payment to the Utah Water Users Association was adjusted to \$600.00 and the proposed budget was finalized at \$22,000.

The assessment for 1975 was discussed and it was noted that the 1974 assessment was \$19,000.00 and that there was approximately \$6800.00 in the Distribution Trust Fund while approximately \$5000.00 was all that was needed.

After due discussion the following resolution was adopted unanimously:

RESOLVED That the budget and assessment for 1975 be set at \$22,000.00 and \$19,800.00 respectively and any deficiencies be taken from the reserve fund.

MEETING WITH STATE ENGINEER:

Chairman Ure called attention to the following letter dated December 30, 1974:

NOTICE TO PROVO RIVER DISTRIBUTION SYSTEM WATER USERS:

Notice is hereby given that in compliance with Title 73, Chapter 5, Utah Code Annotated 1953, a meeting of water users of the Provo River Distribution System and representatives of the Division of Water Rights will be held Thursday, January 9, 1975, at 10:00 a.m. in Room 200, County Courthouse, Provo, Utah, for the purposes of:

1. Hearing the 1974 meeting minutes.
2. Hearing the 1974 financial statement.
3. Hearing the 1974 commissioner's report.
4. Preparing a budget of salaries and other necessary expenses of the system.
5. Recommending a commissioner for the 1975 season.
6. Transacting such other business as may properly come before the meeting.

Yours truly,

Dee C. Hansen
State Engineer

mnt

Chairman Ure noted that the date was set ahead to January 10, 1975 and requested all members of the Board to attend this meeting in view of the importance at the River Systems operation.

There being no further business, the meeting adjourned at 5:30 p.m.

Approved _____

Jack M. Gardner - Secretary